

**REMARKS/ARGUMENTS**

Claims 1-12 are pending.

Claim 1 was rejected under 35 U.S.C. § 102(e) for allegedly being anticipated by Buyukkoc et al., U.S. Patent No. 6,463,062.

Claim 12 was rejected under 35 U.S.C. § 102(b) for allegedly being anticipated by Ma et al., U.S. Patent No. 5,953,338.

It is noted with appreciation that claims 2-11 are allowed.

As to the Section 102 rejection of claim 1, the claim has been amended to more clearly recite the features of the present invention so as to distinguish the cited art. Amended claim 1 recites, in part, "[the] at least one information table identifying at least one route from the gateway element through the core network to the receiver unit ... [includes] allocations of predetermined communication resources of the data links ..." Support for this amendment can be found in the disclosure of the present application at, for example, page 7, line 32 to page 8, line 8, and Figs. 8A and 8B. No new matter is added.

Buyukkoc does not teach or suggest storing "allocations of predetermined communication resources of the data links" at a gateway element as recited in claim 1. Furthermore, the other cited references fail to make up for the deficiencies of Buyukkoc in this regard. For at least the foregoing reasons, the Section 102 rejection of claim 1 is believed to be overcome.

As to the Section 102 rejection of claim 12, the present invention as recited in claim 12 includes "maintaining at the sending gateway element information indicative of the allocated predetermined communication resource ..."

The Office action asserted that Ma teaches the claimed concept of maintaining allocated resource information at a "gateway element" because Ma describes maintaining bandwidth information at a "bandwidth manager." However, Applicants respectfully submit that there is no basis for equating the "bandwidth manager" of Ma with a "gateway element" of the present invention. As described in the present application, gateway elements are typically deployed at multiple points in a network and are operative to "couple access networks 12 to a

core network 16." *Page 4, lines 14-17.* For example, Figure 1 depicts multiple gateway elements La through Ld that are disposed between access networks 12 and a core network 16. In contrast, the bandwidth manager of Ma is a centralized entity that does not play any role in coupling outside networks to a core network. For example, Fig. 1B of Ma illustrates a single bandwidth manager 150 connected to an ATM network 120. The bandwidth manager does not couple any of the depicted customer networks (110A-110K) to the network 120. Consequently, it is earnestly submitted that one of ordinary skill, in light of the Ma reference, would not view the bandwidth manager as corresponding to the "gateway element" that is recited in claim 12.

Therefore, contrary to the assertion in the Office action, Ma does not teach or suggest "maintaining at the sending gateway element information indicative of the allocated predetermined communication resource ..." as recited in claim 12. (*Underlining added to emphasize*). Furthermore, the other cited references fail to make up for the deficiencies of Ma in this regard. For at least the foregoing reasons, the Section 102 rejection of claim 12 is believed to be overcome.

**CONCLUSION**

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,



George B. F. Yee  
Reg. No. 37,478

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: 650-326-2400  
Fax: 415-576-0300  
GBFY:AJL:cmm  
60477449 v1